

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

TIMOTHY EDWARD HOLZ,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-24-416-G
)	
BROOKE JASPER et al.,)	
)	
Defendants.)	

ORDER

Plaintiff Timothy Edward Holz, appearing pro se, filed a federal civil rights complaint and an application seeking leave to proceed *in forma pauperis*. On August 19, 2024, the Court denied Plaintiff's application for leave to proceed *in forma pauperis* and advised Plaintiff that unless he paid the \$405.00 filing fee in full to the Clerk of the Court on or before September 9, 2024, or showed good cause for his failure to do so, this action was subject to dismissal without prejudice. *See* Order of Aug. 19, 2024 (Doc. No. 7).

As of this date, Plaintiff has not submitted his required filing fee, shown good cause for his failure to do so, or otherwise been in contact with the Court.

Plaintiff has had "ample time" to ensure compliance but has instead chosen to disregard the Court's Order. *Soeken v. Estep*, 270 F. App'x 734, 736 (10th Cir. 2008). Further, "[a] district court possesses broad discretion in determining whether to dismiss a petition without prejudice for failing to comply with court orders." *Id.* at 735-36; *see also Thornton v. Estep*, 209 F. App'x 755, 756-57 (10th Cir. 2006); *Adams v. Wiley*, 298 F. App'x 767, 768-69 (10th Cir. 2008). Accordingly, dismissal of this matter is warranted.

See LCvR 3.3(e) (prescribing that if an *in forma pauperis* application is denied, the litigant’s “[f]ailure to pay the filing fees by the date specified, to seek a timely extension within which to make the payment, or to show cause in writing by the date specified for payment” “shall be cause for dismissal of the action without prejudice to refiling”); *Sears v. Dist. Att’y*, No. CIV-17-1195-HE, 2017 WL 7669372 (W.D. Okla. Dec. 28, 2017) (R. & R.), *adopted*, 2018 WL 837607 (W.D. Okla. Feb. 12, 2018).

CONCLUSION

For the foregoing reasons, the Complaint (Doc. No. 1) in this matter is DISMISSED without prejudice. A separate judgment shall be entered.

IT IS SO ORDERED this 7th day of November, 2024.



CHARLES B. GOODWIN
United States District Judge